

AMENDED IN ASSEMBLY APRIL 5, 2010

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 1940

Introduced by Assembly Member Fletcher

February 17, 2010

~~An act to amend Section 114872 of the Health and Safety Code, relating to fluoroscopy. An act to amend Section 3520 of the Business and Professions Code, relating to healing arts.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 1940, as amended, Fletcher. ~~Fluoroscopy.~~ *Physician assistants.*

Existing law, the Physician Assistant Practice Act, provides for the licensure and regulation of physician assistants by the Physician Assistant Committee of the Medical Board of California. Existing law requires the board, within 10 days after the beginning of each month, to report to the Controller the amount of all collections made under the act and to pay those sums into the Physician Assistant Fund in the State Treasury.

This bill would require the board to make that report and to deposit those sums within 5 business days after the beginning of each month.

~~Under existing law, the State Department of Public Health issues licentiate fluoroscopy permits, as specified.~~

~~This bill would make technical, nonsubstantive changes to these provisions.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 3520 of the Business and Professions
2 Code is amended to read:

3 3520. Within ~~10~~ 5 business days after the beginning of each
4 calendar month, the board shall report to the Controller the amount
5 and source of all collections made under this chapter and at the
6 same time pay all those sums into the State Treasury, where they
7 shall be credited to the Physician Assistant Fund, which fund is
8 hereby created. All money in the fund shall be used to carry out
9 the purpose of this chapter.

10 ~~SECTION 1. Section 114872 of the Health and Safety Code~~
11 ~~is amended to read:~~

12 ~~114872. (a) The department shall issue a licentiate fluoroscopy~~
13 ~~permit to a qualified licentiate of the healing arts, as defined in~~
14 ~~paragraph (2) of subdivision (h) of Section 114850.~~
15 ~~Notwithstanding any other law, the department shall accept an~~
16 ~~application for a fluoroscopy permit from a licensed physician~~
17 ~~assistant who meets the requirements of this section.~~

18 ~~(b) A physician and surgeon may delegate to a licensed~~
19 ~~physician assistant procedures using fluoroscopy. In order to~~
20 ~~supervise a physician assistant in performing the functions~~
21 ~~authorized by the Radiologic Technology Act (Section 27), a~~
22 ~~physician and surgeon shall either hold, or be exempt from holding,~~
23 ~~a licentiate fluoroscopy permit required to perform the functions~~
24 ~~being supervised.~~

25 ~~(c) A physician assistant to whom a physician and surgeon has~~
26 ~~delegated the use of fluoroscopy shall demonstrate successful~~
27 ~~completion of 40 hours of total coursework, including fluoroscopy~~
28 ~~radiation safety and protection, recognized by the department.~~
29 ~~Documentation of completed coursework shall be kept on file at~~
30 ~~the practice site and available to the department upon request.~~

31 ~~(d) Nothing in this section shall be construed to remove the need~~
32 ~~for a physician assistant to pass a department-approved examination~~
33 ~~in fluoroscopy radiation safety and protection pursuant to Article~~
34 ~~1 (commencing with Section 30460) of Group 5 of Subchapter 4.5~~
35 ~~of Chapter 5 of Division 1 of Title 17 of the California Code of~~
36 ~~Regulations.~~

37 ~~(e) A licensed physician assistant who is issued a fluoroscopy~~
38 ~~permit pursuant to the requirements of this section shall, in the~~

1 ~~two years preceding the expiration date of the permit, earn 10~~
2 ~~approved continuing education credits. The department shall accept~~
3 ~~continuing education credits approved by the Physician Assistant~~
4 ~~Committee.~~

5 ~~(f) Nothing in this section shall be construed to authorize a~~
6 ~~physician assistant to perform any other procedures utilizing~~
7 ~~ionizing radiation except those authorized by holding a licentiate~~
8 ~~fluoroscopy permit.~~

9 ~~(g) Nothing in this section shall be construed to remove the need~~
10 ~~for a physician assistant to be subject to the permit requirements~~
11 ~~approved by the department pursuant to Subchapter 4.5~~
12 ~~(commencing with Section 30400) of Chapter 5 of Division 1 of~~
13 ~~Title 17 of the California Code of Regulations.~~

14 ~~(h) The department may charge applicants under this section a~~
15 ~~fee in an amount sufficient, but not greater than the amount~~
16 ~~required, to cover the department's costs of implementing this~~
17 ~~section. The fees collected pursuant to this subdivision shall be~~
18 ~~deposited into the Radiation Control Fund established pursuant to~~
19 ~~Section 114980.~~